

leg^a, approved Nov. —, 1849 ; read third time and passed by the following vote :

Yea^s : Messrs. Burleson, Cooke, Davis, Gage, Grimes, Latimer, Moffett, Parker, Pease, Phillips, Robertson, Taylor, Truit, Van Derlip, Ward, Walker and Wallace—17.

Nay^s : Mr. Hart—1..

A bill to incorporate the Bexar Manufacturing Company ; read third time and passed by the following vote :

Yea^s : Messrs. Burleson, Davis, Gage, Grimes, Hart, Latimer, Moffett, Parker, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—16.

Nay^s : Mr. Pease—1.

A bill to incorporate the town of Rio Grande City ; read third time and passed by the following vote :

Yea^s : Messrs. Burleson, Davis, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Taylor, Truit, Van Derlip, Ward and Wallace—19.

Nay^s : none.

A bill to authorize and require the Commissioner of the General Land Office to issue patents on land claims located in three surveys in certain cases ; read third time and passed.

A bill to authorize James Knight to adopt Lucinda E. Nibbs, daughter of Mary Beckam, deceased, late of the county of Fort Bend ; read second time, and, on motion of Mr. Parker, referred to the committee on the Judiciary.

On motion of Mr. Hart, the Senate adjourned.

FRIDAY, 9 o'clock, A. M., Dec. 21, 1849.

The Senate was called to order by the President pro. tem.—Senators present : Messrs. Cooke, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Phillips, Robertson, Taylor, Truit, Van Derlip, Ward, Walker and Wallace. The journals of the preceding day were read and adopted.

The Secretary was instructed to inform the Governor and the House of Representatives that the Senate had elected the Hon. Edward Burleson President of the Senate for the time being.

On motion of Mr. Van Derlip, the Senate took a recess until the hour should arrive for the inauguration of the Governor and Lieut. Governor elect.

The Senate was called to order and repaired to the place prepared for the inauguration.

IN JOINT SESSION.

Roll called—quorum present—Prayer by Rev. Mr. Phillips, Chaplain of the day.

His Excellency, Geo. T. Wood, arose and delivered the following valedictory address :

*Gentlemen of the Legislature,
and Fellow-Citizens:*

The present is an interesting and, to me, an imposing occasion. Two years ago, by the voluntary suffrages of my fellow-citizens I was called to the distinguished position which, in a few moments, I am to surrender into other hands. This is a circumstance which beautifully illustrates one of the chief excellencies of our free system of government.

If time permit, it would afford me pleasure to advert to many incidents in the past history of Texas, abounding, as it does, in events so humble in the beginning, so glorious in their progress and termination. But it must suffice for the present to say, in a few words, that during my term of service, several questions of grave importance to the people of the State, arose for my consideration and action.

During that period, serious injuries were inflicted upon portions of our frontier inhabitants, in the loss and destruction both of property and life. This, it was conceived, imperiously demanded action on the part of the Executive of the State. I assumed the responsibility of raising troops, to extend to my fellow-citizens that protection to which they were entitled, and which the United States force in Texas proved itself wholly inadequate to afford. I did not stop to count the cost, nor to inquire how much money would be taken from the Treasury. I should have acted as I did, had it exhausted the last dollar. This I conceived to be my duty, and under similar circumstances, my course would always be the same; for the highest obligation of a State is the protection of her citizens.

The unsatisfactory manner in which the Government of the U. States has acted in regard to our frontier defence, has arisen in a great degree, no doubt, from its imperfect information upon the subject. The last official act which I performed, was to address a letter to the proper authorities at Washington City, calling their attention to such facts and considerations as I regarded important to be known.

The state of affairs in Santa Fé, has also occupied much of

my attention. Every inch of that territory justly belongs to our State, and she will defend it to the last extremity; and if ever surrendered, it must be when she has no soldier to defend it:—there will be no messenger of her defeat.

Gentlemen of the Legislature, to the forecast and wisdom of your counsels—to the patriotic union of your purposes—to the earnest devotion of your energies to the welfare of the State, her citizens look confidently to secure a continuance of her present prosperous condition.

By harmony of action and freedom from selfish and sectional prejudices, your legislation will advance the interests of the State. Animated by these feelings, you will give to her an impulse in her progress towards the proud destiny which so happily awaits her.

Permit me, gentlemen, to return through you to the people of Texas, my deep sense of gratitude for the many marks of confidence they have given me, in the bestowal of her more humble and her most exalted trusts. And if it can be any gratification to him who is about to sever his official relationship with a State, to feel and know that he has discharged honestly and conscientiously the duties which the nature of that relationship imposed, I retire at this time indeed a happy man.

In surrendering the Executive Office to my successor, it affords me peculiar pleasure to express the assurance which I feel, that it is committed to honest, capable and worthy hands. All must unite with me in the confidence that the interests and the honor of the State are safe in his keeping.

And, in an earnest spirit, I invoke Heaven's blessings upon him, and that He who can alone crown human efforts with success, may render his every act as seed sown in good ground, producing to him and the State blessings a thousand fold.

The oath of office was then administered by the Speaker of the House of Representatives to P. Hansbrough Bell, Governor elect, who delivered the following inaugural address :

Gentlemen of the Legislature,

and Fellow-Citizens :

The present occasion, interesting as it is to every patriot citizen, comes to me with an accumulated weight of hopes and fears, producing an active struggle of varied emotions. Against this I am sustained only by the firm and unshaken reliance, that its origin is derived from a knowledge on my part, that heavy and important duties, involving a common interest, are about to be

assumed, and in a pure desire to meet them with manly firmness and a proper intelligence in the discharge of every obligation.

Called by the unbiassed will of the people of Texas, in the exercise of the exalted privilege of the elective franchise, to preside as their Chief Magistrate, I appear before you to take the solemn and sacred oath, "that I will perform the duties incumbent upon me, according to the best of my skill and ability, and agreeably to the constitution and laws of this State, and of the United States." This solemn asseveration, to be made in the presence of GOD and my fellow-countrymen, brings into lively requisition every moral, every ennobling sentiment, and excites every slumbering patriotic sensibility. My heart would be obdurate and insensible, indeed, if it did not swell with unusual emotions on an event fraught with so many consequences to myself, either for good or evil, and involving considerations of vital importance to you. The distinguished mark of confidence and respect, from a great and growing State, implying as it does, high regard for my integrity and ability, demands from me the deepest expression of gratitude.

A custom, established by precedent and honored by time, makes it appropriate before assuming the usual constitutional qualification, that, in making a suitable expression of thanks to my fellow-citizens at large, for the honor they have conferred, I should also, advert concisely to some of the principles and sentiments which will govern me in conducting the civil administration of the State.

I now offer to you, fellow-citizens, in the sincerity of my heart, the humble tribute of my thanks for the sacred trust confided to me; and desire to join you in hearty congratulations, that the Great Author of all good has vouchsafed to our beloved State peace, health, and prosperity; and all the elements, physical, moral, and religious, necessary to constitute us a truly great and glorious people.

In coming to the position assigned me, it is not unfit that I should advert to days that are past, in order that we may be directed with more certain aim to those which are advancing. The experience of the past affords lessons of wisdom and instruction for the future; and a retrospect of days gone by in our history, as a people, whilst it affords ample cause of exultation and cheering hopes, comes, also, mingled with melancholy emotions. It is never unprofitable, when alluding to our country, to recur to our early history—the days of thirty-five and six; and to the brilliant and soul-stirring scenes to which the events of those days gave rise.

In doing this, the mind performs a holy, religious pilgrimage, in visiting the graves of our departed friends and heroes who have fallen by the desolation of war—cherishing their memories and recounting their virtues. It is food for the mind and greatly improves the heart—placing us higher in the scale as social beings, and making us better citizens. The great aim and end of our institutions are, to afford the jewel of comfort and solid happiness; and whatever current of thought tends to moral culture, becomes a great auxiliary to this object. Fellow-citizens! the price of liberty in Texas was dearly paid in the blood of her patriot sons. Let that be held in grateful remembrance, and to us, and to those who are to succeed us, it should be the highest incentive to virtue, patriotism and honor. The best vindication of their motives and the principles for which they contended, is to be found in a determined, successful effort on our part to secure to those who are to come after us, the multiplied advantages which their sacrifices have brought to us.

With an object so high and holy, it is not for us to slumber in the pathway of duty. With an awakened sense of our just claims, and a true appreciation of our peculiar position, it behoves us to move forward to the performance of such measures for the promotion of intelligence, and her hand-maid, virtue, as wisdom and experience may dictate. Let us, then, not forget or undervalue our superior advantages; but with a broad, elevated, and ardent patriotism, unite heart and hand in advancing Texas to the proud destiny that awaits her. With a country great in extent, and beautiful as she is great—fertile in soil—salubrious in climate—established in her institutions and general laws, and progressive in the moral improvement of her people, she cannot fail soon to realize the fondest hopes of the patriot, and successfully vindicate her claims to an elevated rank among the States of the Union.

The most pleasing evidences of gradual and permanent improvements are to be seen at many points. And we cannot behold so glorious and gratifying a prospect for our infant State, and not be animated with the most profound and grateful acknowledgements to the Great Author of our being, for these manifold and inestimable blessings. Our vigilance and unceasing care for the benefits we enjoy should be proportionably increased for their perpetuation.

Our hopes, interests, and affections, are centred here; and every true lover of his country should sacrifice every selfish, every ambitious, motive on the hallowed altar of patriotism; and in the same spirit of generous compromise which gave to our

Union a constitution, and to our State a name, unite to harmonize all conflicting interests, and lend aid in such measures as will be conducive to the public good.

Texas has, perhaps, as much substantial cause for a high appreciation of her present political position and advantages as any country, claiming sovereignty, on earth. The circumstances and incidents of her birth are strange and interesting, if not illustrious. Springing into political existence, as by magic, at a point so obscure as to be almost entirely unknown on the map of the world; astonishing her friends by the unexpected declaration that she resolved to be "free, sovereign, and independent;" confounding her enemies by a practical enforcement of that declaration, with no extrinsic advantages to draw to her aid, and with no friend but her genius and valor, she moved steadily onward, almost without men and means, conquering and to conquer, with an energy that defied all misfortune, and an indomitable courage almost supernatural, until her one-starred banner waved in triumph at every point where her enemies dared present themselves.

What an anomaly in the progress of human freedom does it present, that this "forlorn hope" should in a few years assert, and actually establish, a right over a territory of such magnitude and importance, as to attract the attention, and excite the cupidity of monarchical Europe. Our father-land, too, an inactive spectator of the struggle, with something of sympathy, and more of interest, witnessing Texas dash from her lips the poisoned chalice which haughty Mexico presented, aroused by a feeling slightly imbued with jealousy towards a power not American, opened at last the door of alliance. In this auspicious hour, (I hope it was auspicious) Texas, with as much diplomatic adroitness in the cabinet as she had displayed valor in the field, moved gracefully, and by a sudden transit, within the folds of the star-spangled banner; and there, fellow-citizens, we have the happiness to find her. The picture, though poorly drawn, is true to the life; and affords consolation to those, at least, who found her in her weakness tottering to the fall, and who now behold her in beauty and strength. Her brightness may be dimmed, for a time, by the superior constellation which surrounds her, but it needs not the aid of prescience to determine that, in a few years, we shall behold our State, with the rich bounties nature has bestowed with a prodigal hand, shielded by a good constitution and laws, as a beacon light and a hope, attracting to her bosom the oppressed of every land. That God, in his mercies, may grant this consummation, is the wish of every true patriot.

Fellow-citizens, when contemplating the position we occupy, and so lately assumed, every consideration of self-respect and national duty requires that we should be deliberative and cautious in the measures we adopt, or the laws we enact, local or general, for the purposes of justice. The youngest member of the Union, and, I may add, the "fairest and the freest," we shall be daily and hourly subject to the animadversions and criticisms of the jealous and malignant. There is no defence against such attacks, except such as is to be found under the panoply of justice and truth; with this we shall be thrice armed, and can march forward with confidence to the goal of our destiny. The character which our State will hereafter bear, is now to be formed; and from the aggregate acts of her Government, and general bearing of her citizens, her reputation amongst her sister States will be proportionably elevated or depressed. From this consideration, then, how strong is the appeal to those of her public servants to whom the most responsible agencies are intrusted, to look with a clear perspective to those measures which are most likely to subserve her present interests and future advancement; and to her citizens for their prompt acquiescence in all that contributes to the establishment of law and order.

That our Government is well adapted to perform all its functions harmoniously, and to answer the end originally intended by its framers, is clearly demonstrable in the increase of population, the manifest improvement in morals and social bearing, and the universal disposition to respect the laws. Time and observation will suggest many alterations and improvements; and, from experience in our past legislation, they will, no doubt, be readily adopted. Did the occasion allow, I could with pleasure run the parallel between what Texas was, what she is, and what, with the favor of Heaven, she is destined to become.

In her contest for freedom, she conducted her war upon the most liberal and humane principles known to civilized nations—always meeting her enemy upon honorable ground, and beating them only by superior valor; alleviating by kindness the miseries of the unfortunate, she took from the battle its crime, and imposed no chains by her conquests; "Liberty unsheathed her sword—necessity stained it—victory returned it to its scabbard." Having been a participator in her struggles, from the dawn of her revolution, I can lay my hand upon my heart and say, I never yet felt dishonored by the association. A people, whose conduct has been thus marked by all the characteristics which would do honor to the oldest and most enlightened nations, has claims to the admiration of mankind, for having extended the area of

human rights. And we find the same people who, in war, could exert the most exalted clemency, on the restoration of peace, maintaining her national character and consistency, by pursuing the admonitions of virtue, wisdom, and moderation, in the conduct of her civil affairs. What a field is, here presented for the philanthropic mind to dwell upon? We behold a nation, which had declared and maintained its independence through innumerable disadvantages, suddenly merging her nationality—not through the usual agencies, the heat and bustle of revolution, but making a dignified and peaceable transfer of power, by the more potent influences to enlightened minds, of reason and virtue—Here, then, is a beautiful political horizon before us, after having triumphantly solved the problem, whether or not we were capable of governing ourselves. Nor is the prospect marred by ignorance or superstition; and we have no rankling, established prejudices to lead us into the mists of error. All is plain and auspicious; and our country is as a blank, prepared to receive good impressions or bad.

Here, too, is an ample field for the highest aspirations of genius and enterprise, and Providence, in having bestowed so rich a boon, has imposed on those who enjoy it, the responsibility of watching, with jealous care, the benefits it confers. It is an inheritance confided to us, to be transferred with interest to posterity. The new and delicate relation to the American confederacy, voluntarily assumed by Texas, was the result of a policy on the part of that power, to enlarge the scope of free principles, and to strengthen the bond of Union. In this we will go with her hand in hand, and so long as her counsels are administered with justice and equality, and with due deference to the rights reserved by our common charter, we will hail with pleasure and pride the day of our alliance.

There is no want of patriotic feeling and devoted kindness amongst us for the Union, as it is. Support of our State Constitution, and the Constitution of the United States, becomes our highest duty. It is the surest basis for the security of peace and the safety of our institutions. But, fellow-citizens, whilst inculcating with zeal this wholesome doctrine, it is necessary, in our internal organization, that we should throw the proper guards around our own peculiar rights. The day of her declaration was for Texas the unequivocal assertion of her maturity, and nobly has she given the proof. The day of annexation was her wedding day. She will yield all to the Union which bridal modesty doth warrant, but can never forget her reserved rights.—We will always endeavor to do our duty to the Union. This is

an obligation, and implies reciprocity. "Too just to invade the rights of others," we will be too "proud to surrender our own."

In relation to our own State, fellow-citizens, to maintain our national faith and standing by a rigid compliance with all our obligations—to ascertain and relieve our public resources by an honorable estimation and prompt adjustment of our liabilities—to protect all personal and private rights, by enacting and strictly enforcing salutary laws, are principles which should be at an early day engraven upon our statute books. In the legislative halls of our country, a spirit of concession and compromise should be invoked—preferring amicable discussion and a just accommodation of all difficulties, to any other mode. All sectional and local prejudices, as far as possible, should be banished from the public councils. The distinction of Texas, East and West, should not be known, except geographically. Patriotic sacrifices were common to both, "in times that tried men's souls," and in the days of her prosperity, kindness, friendship, and a common interest should bind all Texans. Remember! that the blood of patriots, from East and West, consecrated the land we this day enjoy.

Fellow-citizens! it would be no difficult task for me to detain you with an extended enumeration, of what I deem to be the great and essential principles which should guide us in our civil policy. It would, however, I know full well, be considered a work of supererogation in one so humble in pretensions to wisdom as myself. Fortunately for our country, those who entrust power, are in the aggregate as watchful of the country's interest, and as enlightened too, as their agents. The channels of intelligence are open to all and closed to none, except those of the number, "who, having eyes, see not; and having ears, hear not the things which most concern them."

I shall enter upon the duties assigned me by my fellow citizens, trusting to a just and enlightened verdict at their hands, after an honest and faithful effort to discharge those duties, rather than attempt to elicit good opinions in advance, by an imposing declaration of principles.

With the Constitution and laws as my guide, backed by an honest determination to do what is right, I shall, I trust, be able to accomplish the duties which may devolve upon me.

To recommend such measures as may seem necessary and proper, and to see that the laws are faithfully executed, will be my constitutional duty. From this I shall never shrink.

But, fellow-citizens, with a firm determination to do my duty,

I know full well the many embarrassments I must encounter.—Unpracticed in the duties of civil life, and conscious of my great deficiencies, my position is well calculated to awaken distrust and presentiments, naturally inspired by a disproportion of ability to the magnitude of my duties.

The intelligence of my countrymen, and a charitable construction of my acts, together with the counsels of those whom the Constitution has designated as my auxiliaries in the civil administration, will, I am confident, greatly supply my defects. With these, and aided by the honorable representatives of the people, amongst whom I shall look for examples of wisdom and ripened experience, I may hope for success. And to you, gentlemen of the Legislature, coming as you do from every part of our growing State—bringing with you sentiments and intelligence of a local character—and possessing, as a body, a broad and comprehensive view of national concerns—to you I shall anxiously look, to give such an impress and direction to our public affairs, as will place upon your acts the seal of wisdom and the approbation of our common constituents.

Beyond this, I shall look with humble supplication for aid from that beneficent and superintending Providence through whose abundant kindness and mercies our beloved country was safely conducted amidst the trials of revolution to the haven of peace, tranquillity, and happiness.

The oath of office was then administered to Hon. John A. Greer, Lieutenant Governor elect, who delivered the following address :

*Gentlemen of the Senate,
and Fellow-Citizens :*

In assuming the discharge of the duties of the office to which the people of Texas have called me by their kind and friendly consideration, it does not devolve upon me to make a speech embracing any question of principle. In the performance of my duties, I only have to preside over and govern the deliberations of the Senate, and, in the event of a tie, to give the casting vote. It would, therefore, be improper for me, were I fitly qualified, to make a speech upon the policy which I might deem it proper and necessary for the State to pursue, to ensure her prosperity and your happiness.

I thank you, fellow citizens, for the high distinction which you

have conferred upon me, and will assure you that I shall endeavor to discharge the duties devolving upon me to the best of my ability to advance the interests of the State.

The Senate retired to their chamber, and on motion of Mr. Gage, adjourned until Wednesday, the 26th inst.

WEDNESDAY, 9 o'clock A. M., December 26, 1849.

The Senate was called to order by the President. Senators present: Messrs. Cooke, Davis, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Taylor, Truit, Ward, Walker and Wallace.

The journals of 21st December read and adopted.

Mr. Cooke presented the petition of John Boyd, which was read, and, on motion of Mr. Cooke, referred, with the accompanying documents, to the committee on Public Lands.

Mr. Moffett presented the petition of sundry citizens of Houston county, praying to be attached to Polk county; read, and, on motion of Mr. Moffett, referred to the committee on County Boundaries.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a joint resolution for the relief of the citizens of Jasper county, reported that the committee were unable to agree upon a report, and returned the same to the Senate for their action.

Mr. Pease presented the petition of Wiley Marshal, which was read, and, on motion of Mr. Pease, referred to the committee on Private Land Claims.

Mr. Wallace introduced a bill relative to proof of the statute and common law of the States and Territories of the United States; read first time.

Mr. Ward introduced a bill for the benefit of the heirs of Jas. Ury, deceased; read first time.

ORDERS OF THE DAY.

A resolution of the Senate, instructing the committee on Indian Affairs to inquire into and report upon the expediency of granting to Hosea Maria, and the remainder of his tribe of Indians, leave to occupy and cultivate three leagues of land, &c., read and adopted.

A bill to legalize the head-right certificate of Simon P. Barnes; read second time and ordered to be engrossed.